

REMARKS

Applicants thank the Examiner for the interview of October 8, 2003. The contents of the interview are summarized by the remarks below.

Applicants request entry of this amendment by the Examiner, as all of the offered claim amendments have been previously suggested or approved by the Examiner, and it is believed that the amendment resolves all rejections to the currently pending claims.

Claims 4, and 6 - 8 are cancelled.

Claims 1, 10, and 12 are amended per the agreement reached with the Examiner during the interview. Support for these amendments can be found, for example, in the paragraph starting at the bottom of page 9 (the Lorama polysaccharaide resins). Along with this amendment, Applicants have submitted a declaration from Michael Cronin containing information regarding molecular weights for a representative Lorama polysaccharide resin. As indicated in the declaration, the Lorama polysaccharide LPE01 has a molecular weight distribution ranging from 0 to 25,000 Daltons (or atomic mass units).

The amendments to claim 11 presented in Applicants unentered amendment of May 16, 2003 are presented again, but modified to account for the amendments to base claim 10. The Examiner indicated in the Office Action of May 27, 2003 that this amendment would overcome the rejection of claim 11 under section 112.

The rejection of claims 1, 5, 9, 10, 12, and 13 under 35 USC 102(b) and claims 3 and 14 under 35 USC 103(a) over Derrick, US Patent 3,893,847, is respectfully traversed. Claims 1, 10, and 12 as amended require a synthetic fuel comprising coal dust, water, and one or more polysaccharide resins having a molecular weight of less than 500,000. By contrast, Derrick describes compositions of matter composed of finely ground minerals mixed with water soluble polymers having a molecular weight of greater than 500,000. Derrick does not disclose or suggest the use of polysaccharide resins (or any other polymer) having a molecular weight of less than 500,000. Additionally, Derrick does not disclose, teach, or suggest that a mixture of coal dust with a polysaccharide resin would lead in certain circumstances to formation of a synthetic fuel with the surprising property of having a higher BTU content than natural coal. As a result, Derrick does not describe, teach, or otherwise suggest a synthetic fuel having all of the features of applicants' claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

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PATENT

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080395.52533US).

Respectfully submitted,

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